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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Perricaudet et al. Group Art Unit:  
Serial No: To Be Assigned Examiner:  
U.S. National Stage of PCT/FR94/00851  
Filed: Concurrently Herewith  
For: Defective Adenovirus Vectors and Use Thereof in Gene Therapy  
To: The Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

CERTIFICATE OF MAILING (37 CFR 1.10)

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Julie K. Smith [Signature]  
(Type or print name of person mailing paper) (Signature of person mailing paper)

PRELIMINARY AMENDMENT

Please enter the following amendment to the English Translation of the International Application before examining this application.

In the Claims:

Please amend claims 3, 5-6, 11-13, 17-24, and 26-30 as follows:

a1 3. (Amended) An adenovirus according to claim 2, characterized in that the adenoviruses of human origin are chosen from those classified in group C[, preferably from the type 2 or 5 adenoviruses (Ad2 or Ad5)].

a2 5. (Amended) An adenovirus according to claim 1 [one of the preceding claims], characterized in that [at least] the E1 and E4 genes are non-functional.

6. (Amended) An adenovirus according to claim 1 [one of the preceding claims], characterized in that it is devoid of late genes.

a3 11. (Amended) An adenovirus according to claim 1 [one of the preceding claims], characterized in that it comprises[, in addition,] a functional gene E3 under the control of a heterologous promoter.